
Application No.: 09/845946Case No.: 56548US002

Remarks

Claims 1 to 34 are pending. Claims 10 to 22 have been withdrawn from consideration. Claims 8, 9, 26, 27, 30, 31, 33, and 34 are amended. Claims 1 to 9 and 23 to 34 remain under consideration.

§ 112 Rejections

Claims 1 to 9 and 23 to 34 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention.

The Office Action states that the description of the topography in the claims is confusing and does not appear to describe the structures shown in the figures. Applicants respectfully traverse the rejection. The terms "projected surface area" and "topographical surface area" - terms used in the claims to describe the topography - are specifically defined in the specification on pages 4 and 5, respectively. Furthermore, the significance of the distinction between the projected surface area and the topographical surface area are discussed throughout the specification, for example, from page 6, line 24 through page 7, line 26.

The language used to describe the topography does indeed describe the structures depicted in the figures. Each of figures 1b and 2b depicts a laminate having a projected surface area and a topographical surface area wherein the topographical surface area is greater than the projected surface area. The laminates are shown in cross-section so that the topographical surface area can be more easily depicted. The topographical surface area can be considered to be the microscopic measure of the surface area - i.e., it includes the surface area of each and every undulation on the surface of the laminate. In contrast, the projected surface area can be considered to be a more macroscopic measure of the surface area - i.e., the two-dimensional surface area of the laminate, for example, as if viewed from above considering only the "x" and "y" dimensions (length and width) of the laminate and without consideration of the "z" dimension (the depth of surface contours or undulations).

The Office Action further states that "[t]here is no way to read the applicants' description and draw any reasonable structure." Applicants respectfully submit that it is quite possible to read Applicants' description of the topography and draw reasonable structure from that

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description. For example, the exact same terminology has been used consistently in related patent families that have produced two issued patents (U.S. 6,376,619 and U.S. 6,395,483) and at least three additional allowed applications.

The Office Action also states that the structure of the laminate cannot be understood from Applicants' recitation of the structure in the claims. Applicants' submit that the comments provided above should make clear that the structure of the laminate can indeed be understood from the language of the claims.

Claims 8, 9, 26, 27, 30, 31, 33, and 34 stand rejected as indefinite because the subject matter of these claims is characterized as a composition. The claims have been amended to better characterize the subject matter of the claims.

In summary, Applicants submit that each of claims 1 to 9 and 23 to 34 satisfies the requirements of 35 U.S.C. § 112, second paragraph. Withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above, Applicants submit that the application is in condition for allowance. Reconsideration of the application is requested.

Allowance of claims 1 to 9 and 23 to 34, as amended, at an early date is solicited. Should any issues remain regarding the description of the invention, whether in the specification or in the claims, the Examiner is invited to call Applicants' representative to discuss the remaining issues.

Respectfully submitted,

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Date

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